

REMARKS

Upon entry of the forgoing amendments, claims 1-28 are pending in this application with claims 1, 5, 7, 8, 12, 14, 15, 19, 21, 22, 26, and 28 being independent claims. No claim is allowed.

Claims 1, 5, 7, 8, 12, 14, 15, 19, 21, 22, 26, and 28 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the specification in paragraph 0013, among others.

The 35 U.S.C. § 102 Rejection

According to M.P.E.P. § 2131, "[a] claim is anticipated [under 35 U.S.C. §102(a), (b), and (e)] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." It goes on to state that "[t]he elements must be arranged as required by the claim..."

Claims 1-28 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by *Wanderer et al.* (US 5,491,796). This rejection is respectfully traversed.

Each and every element as set forth in the present claims are not found in *Wanderer*. Furthermore, the various combinations of elements proposed by the Office Action are never arranged by *Wanderer* in the same manner as proposed by the Office Action or as required by the present claims.

Generally, the Office Action states that *Wanderer* discloses all of the claim elements and limitations. However, the rejection uses the disclosure of *Wanderer* as a sort of catalog of parts from which the rejection picks and chooses select elements as needed from all over the disclosure. Even if some of the description is the same, the organization and application are

different between *Wanderer* and the claims. For example, *Wanderer* discloses that "[a]s shown in FIG. 1, the present invention consists of three components: a compiler or builder 10 for producing graphical representations of remotely located vendor-specific devices (device specification files or "DSFs"), an engine 14 for the remotely managing these devices, and the DSFs 12a-12n." (Col. 3, lines 36-41) By contrast, the present invention discloses in FIG. 1 that "...a block diagram of an apparatus 10 for checking the level of manageability support of a network device is shown. The apparatus includes a fundamental variable checker 12, a dependent variable checker 14, and a configure request variable checker 16." (Specification paragraph 0014) These differences are emphasized and reflected in the claims as amended. Given these differences, *Wanderer* can not be said to anticipate the currently pending claims.

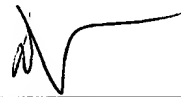
In view of the above, it is respectfully asserted that the claims are now in condition for allowance.

Request for Allowance

In view of the foregoing, reconsideration and an early allowance of this application are earnestly solicited.

If any matters remain which could be resolved in a telephone interview between the Examiner and the undersigned, the Examiner is invited to call the undersigned to expedite resolution of any such matters. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,
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